

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

ANDREW BERKOWITZ

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Civ. No. 19-356

ORDER

On September 25, 2019 Defense Counsel Marc Neff entered his appearance on behalf of Defendant Andrew Berkowitz, replacing Defendant's prior counsel, Richard Hark. (Doc. Nos. 35, 36.) Mr. Neff now moves to withdraw, stating "the attorney-client relationship [with Defendant Andrew Berkowitz] is irretrievably broken" and "[t]he client insists on taking action that the lawyer considers repugnant." (Doc. No. 58.) Mr. Neff also notes, "[t]he client has indicated that he is in the process of obtaining new counsel." (*Id.*) Mr. Neff is privately retained, and Defendant is of course free to fire or replace his counsel. United States v. Gonzalez-Lopez, 548 U.S. 140, 147 (2006) (criminal defendants have the right to counsel of their choosing). No new counsel has yet entered an appearance, however, so Mr. Neff's withdrawal would leave Mr. Berkowitz without representation for the time being. I will thus deny Mr. Neff's Motion to Withdraw until Mr. Berkowitz is able to secure new counsel.

AND NOW, this 1st day of April, 2020, it is hereby **ORDERED** that Defense Counsel's Motion to Withdraw (Doc. No. 58) is **DENIED** without prejudice.

AND IT IS SO ORDERED.

/s/ Paul S. Diamond

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Paul S. Diamond, J.